*UNDER ACQUISITION LAWS.—Acquisitions of space transportation services by the Federal Government shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code), except that space transportation services shall be considered to be a commercial item for purposes of such laws and regulations.*

*(b) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.*

***SEC. 303. LAUNCH SERVICES PURCHASE ACT OF 1990 AMENDMENTS.***

*The Launch Services Purchase Act of 1990 (42 U.S.C. 2465b et seq.) is amended—*

*(1) by striking section 202;*

*(2) in section 203—*

*(A) by striking paragraphs (1) and (2); and*

*(B) by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively;*

*(3) by striking sections 204 and 205; and*

*(4) in section 206—*

*(A) by striking ''(a) COMMERCIAL PAYLOADS ON THE SPACE SHUTTLE.—''; and*

*(B) by striking subsection (b).*

***SEC. 304. SHUTTLE PRIVATIZATION.***

*(a) POLICY AND PREPARATION.—The Administrator shall prepare for an orderly transition from the Federal operation, or Federal management of contracted operation, of space transportation systems to the Federal purchase of commercial space transportation services for all nonemergency launch requirements, including human, cargo, and mixed payloads. In those preparations, the Administrator shall take into account the need for short-term economies, as well as the goal of restoring the National Aeronautics and Space Administration's research focus and its mandate to promote the fullest possible commercial use of space. As part of those preparations, the Administrator shall plan for the potential privatization of the Space Shuttle program. Such plan shall keep safety and cost effectiveness as high priorities. Nothing in this section shall prohibit the National Aeronautics and Space Administration from studying, designing, developing, or funding upgrades or modifications essential to the safe and economical operation of the Space Shuttle fleet.*

*(b) FEASIBILITY STUDY.—The Administrator shall conduct a study of the feasibility of implementing the recommendation of the Independent Shuttle Management Review Team that the National Aeronautics and Space Administration transition toward the privatization of the Space Shuttle. The study shall identify, discuss, and, where possible, present options for resolving, the major policy and legal issues that must be addressed before the Space Shuttle is privatized, including—*

*(1) whether the Federal Government or the Space Shuttle contractor should own the Space Shuttle orbiters and ground facilities;*

*(2) whether the Federal Government should indemnify the contractor for any third party liability arising from Space Shuttle operations, and, if so, under what terms and conditions;*

*(3) whether payloads other than National Aeronautics and Space Administration payloads should be allowed to be launched on the Space Shuttle, how missions will be prioritized, and who will decide which mission flies and when;*

*(4) whether commercial payloads should be allowed to be launched on the Space Shuttle and whether any classes of payloads should be made ineligible for launch consideration;*

*(5) whether National Aeronautics and Space Administration and other Federal Government payloads should have priority over non-Federal payloads in the Space Shuttle launch assignments, and what policies should be developed to prioritize among payloads generally;*

*(6) whether the public interest requires that certain Space Shuttle functions continue to be performed by the Federal Government; and*

*(7) how much cost savings, if any, will be generated by privatization of the Space Shuttle.*

*(c) REPORT TO CONGRESS.—Within 60 days after the date of the enactment of this Act, the National Aeronautics and Space Administration shall complete the study required under subsection (b) and shall submit a report on the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.*

***SEC. 305. USE OF EXCESS INTERCONTINENTAL BALLISTIC MISSILES.***

*(a) IN GENERAL.—The Federal Government shall not—*

*(1) convert any missile described in subsection (c) to a space transportation vehicle configuration or otherwise use any such missile to place a payload in space; or*

*(2) transfer ownership of any such missile to another person, except as provided in subsection (b).*

*(b) AUTHORIZED FEDERAL USES.—*

*(1) A missile described in subsection (c) may be converted for use as a space transportation vehicle by the Federal Government if, except as provided in paragraph (2) and at least 30 days before such conversion, the agency seeking to use the missile as a space transportation vehicle transmits to the Committee on National Security and the Committee on Science of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, a certification that the use of such missile—*

*(A) would result in cost savings to the Federal Government when compared to the cost of acquiring space transportation services from United States commercial providers;*

*(B) meets all mission requirements of the agency, including performance, schedule, and risk requirements;*

*(C) is consistent with international obligations of the United States; and*

*(D) is approved by the Secretary of Defense or his designee.*

*(2) The requirement under paragraph (1) that the assurance described in that paragraph must be transmitted at least 30 days before conversion of the missile shall not apply if the Secretary of Defense determines that compliance with that requirement would be inconsistent with meeting immediate national security requirements.*

*(c) MISSILES REFERRED TO.— The missiles referred to in this section are missiles owned by the United States that—*

*(1) were formerly used by the Department of Defense for national defense purposes as intercontinental ballistic missiles; and*

*(2) have been declared excess to United States national defense needs and are in compliance with international obligations of the United States.*

***SEC. 306. NATIONAL LAUNCH CAPABILITY STUDY.***

*(a) FINDINGS.—Congress finds that—*

*(1) a robust satellite and launch industry in the United States serves the interest of the United States by—*

*(A) contributing to the economy of the United States;*

*(B) strengthening employment, technological, and scientific interests of the United States; and*

*(C) serving the foreign policy and national security interests of the United States.*

*(b) DEFINITIONS.—In this section:*

*(1) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.*

*(2) TOTAL POTENTIAL NATIONAL MISSION MODEL.—The term ''total potential national mission model'' means a model that—*

*(A) is determined by the Secretary, in consultation with the Administrator, to assess the total potential space missions to be conducted by the United States during a specified period of time; and*

*(B) includes all United States launches (including launches conducted on or off a Federal range).*

*(c) REPORT.—*

*(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall, in consultation with the Administrator and appropriate representatives of the satellite and launch industry and the governments of States and political subdivisions thereof—*

*(A) prepare a report that meets the requirements of this subsection; and*

*(B) submit that report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.*

*(2) REQUIREMENTS FOR REPORT.—The report prepared under this section shall—*

*(A) identify the total potential national mission model for the period beginning on the date of the report and ending on December 31, 2007;*

*(B) identify the resources that are necessary to carry out the total potential national mission model described in subparagraph (A), including providing for—*

*(i) launch property and services of the Department of Defense; and*

*(ii) the ability to support commercial launch-on-demand on short notification at national launch sites or test ranges;*

*(C) identify each deficiency in the resources referred to in subparagraph (B); and*

*(D) with respect to the deficiencies identified under subparagraph (C), including estimates of the level of funding necessary to address those deficiencies for the period described in subparagraph (A).*

*(3) QUINQUENNIAL UPDATES.—The Secretary shall update the report required by paragraph (1) quinquennially beginning with 2012.*

*(d) RECOMMENDATIONS.—Based on the reports under subsection (c), the Secretary, after consultation with the Secretary of Transportation, the Secretary of Commerce, and representatives from interested private sector entities, States, and local governments, shall—*

*(1) identify opportunities for investment by non-Federal entities (including States and political subdivisions thereof and private sector entities) to assist the Federal Government in providing launch capabilities for the commercial space industry in the United States;*

*(2) identify 1 or more methods by which, if sufficient resources referred to in subsection (c)(2)(D) are not available to the Department of Defense, the control of the launch property and launch services of the Department of Defense may be transferred from the Department of Defense to—*

*(A) 1 or more other Federal agencies;*

*(B) 1 or more States (or subdivisions thereof);*

*(C) 1 or more private sector entities; or*

*(D) any combination of the entities described in subparagraphs (A) through (C); and*

*(3) identify the technical, structural, and legal impediments associated with making national ranges in the United States viable and competitive.*

## COMMENDING THE NAVAL NUCLEAR PROPULSION PROGRAM ON ITS 50TH ANNIVERSARY

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 265, submitted earlier today by Senator WARNER.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 265) commending the Naval Nuclear Propulsion Program on its 50th Anniversary and expressing the sense of the Senate regarding continuation of the program into the 21st century.

The Senate proceeded to consider the resolution.

Mr. WARNER. Mr. President, I rise today to pay tribute to the Naval Nuclear Propulsion Program and to introduce a resolution to commemorate the 50th anniversary of this outstanding institution.

The Naval Nuclear Propulsion Program was founded by the legendary Admiral Hyman Rickover in 1948 when he was a Captain. At that time, the technology that enabled the release of nuclear power was in its infancy—a by-product of the atomic bomb. Captain Rickover assigned himself the task of building a nuclear submarine. Just seven years later, U.S.S. *Nautilus* put to sea under nuclear power.

Admiral Rickover's legacy—the Naval Nuclear Propulsion Program—is a technical organization unequaled in accomplishment throughout the world.

The Program is truly a gem of efficiency in government and a crown jewel in our Nation's security. The program fulfills its multifaceted responsibilities over all aspects of naval nuclear propulsion with only 750 Government personnel led by a single Director, currently Admiral Skip Bowman, USN.

By law, the Director, Naval Nuclear Propulsion, is singularly responsible for the design, construction, operation, operator training, maintenance, refueling, and ultimate disposal of naval nuclear propulsion plants. During its 50 years of existence, the Naval Nuclear Propulsion Program has developed, built, and operated 246 nuclear reactors of more than 30 different designs. Since the *Nautilus* first sailed, the Navy has delivered 209 nuclear-powered warships which have safely steamed a combined total of over 113 million miles.

The accomplishments of the Naval Nuclear Propulsion Program provide evidence that good engineering does not happen by coincidence, or by clever management technique. Good engineering is the result of thoroughly trained, dedicated people who are committed to ensuring proper attention to technical details.

The high degree of public confidence in the Navy's nuclear-powered warships results from the Program's unparalleled operating, environmental, and safety record. This record is made possible because the Program has the requisite authority, structure, expertise, and experience necessary to focus all aspects of work on a common goal: Safe and reliable nuclear propulsion supporting military objectives.

Mr. President, I congratulate the Naval Nuclear Propulsion Program on its 50th anniversary and on all the accomplishments it has achieved during that time.

On a personal note, I wish to acknowledge the contributions of the Directors of the Naval Nuclear Propulsion Program past and present—Admiral Hyman G. Rickover, Admiral Kin McKee, Admiral Bruce DeMars and Admiral Skip Bowman—all of whom I am proud to have known and with whom I have worked closely over the years.

I urge my colleagues to join me in honoring this fine organization by cosponsoring this resolution.

Mr. GORTON. Mr. President, I ask unanimous consent that the resolution be agreed to; that the preamble be agreed to; that the motion to reconsider be laid upon the table; and that a statement by Senator WARNER in explanation appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 265) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 265

Whereas in 1948, Admiral (then Captain) Hyman G. Rickover first assembled his team of Navy professionals, other Government professionals, and contractor professionals that would adapt the relatively new technology of atomic energy to design and build the United States' fleet of nuclear-powered warships;

Whereas over the next seven years, Admiral Rickover and his team developed an industrial base in a new technology, pioneered new materials, designed and built a prototype reactor, established a training program, and took the world's first nuclear-powered submarine, the U.S.S. Nautilus, to sea thus ensuring America's undersea superiority;

Whereas since 1955, when the U.S.S. Nautilus first sailed, the Navy has put to sea 209 nuclear-powered ships whose propulsion plants have given the Navy unparalleled mobility, flexibility, and, additionally for submarines, stealth, with an outstanding record of safety;

Whereas during its 50 years of existence, the Naval Nuclear Propulsion Program has developed, built, and managed the operation of 246 nuclear reactors of more than 30 different designs with a combined total of 4,900 reactor years of operation, thereby leading the world in reactor construction, servicing, and operational experience;

Whereas since its inception, the Naval Nuclear Propulsion Program has trained over 90,000 reactor operators and the Navy's nuclear-powered warships have achieved over 113,000,000 miles of safe steaming on nuclear power; and

Whereas nuclear energy now propels more than 40 percent of the Navy's major combatant vessels and these nuclear-powered warships are accepted without reservation by over 50 countries and territories into 150 ports: Now, therefore, be it

*Resolved*, That—

(1) the Senate commends the past and present personnel of the Naval Nuclear Propulsion Program for the technical excellence, accomplishment, and oversight demonstrated in the program and congratulates those personnel for the 50 years of exemplary service that has been provided to the United States through the program; and

(2) it is the sense of the Senate that the Naval Nuclear Propulsion Program should be continued into the next millennium to provide exemplary technical accomplishment in, and oversight of, Naval nuclear propulsion plants and to continue to be a model of technical excellence in the United States and the world.

## HONORING CENTENNIAL OF FOUNDING OF DEPAUL UNIVERSITY

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 266, submitted earlier today by Senator MOSELEY-BRAUN and Senator DURBIN.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 266) honoring the centennial of the founding of DePaul University in Chicago, IL.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Ms. MOSELEY-BRAUN. Mr. President, it is my privilege to join my colleague from Illinois, Senator RICHARD DURBIN, in recognizing an important milestone in our nation's history of higher education. This year marks the 100th anniversary of the founding of the country's largest Catholic university, DePaul University, in my hometown of Chicago.

One hundred years ago, the Vincentian Fathers founded a college to educate immigrants who were otherwise denied admission to many of the nation's colleges and universities. Today, DePaul University serves a student population of 17,000 young men and women. Over the course of these 100 years, DePaul's growth has been guided by the original mission of the Fathers to foster in higher education a deep respect for the God-given dignity of all persons, and to instill in educated persons a dedication to the service of others.

From its humble beginnings, DePaul University has grown to become a major educational and economic force in both the city of Chicago and the State of Illinois. The more than 65,000 DePaul alumni who live and work in Illinois are prominent in such diverse fields as law, education, business, music and art.

Mirroring its hometown of Chicago, DePaul is nationally recognized for the diversity of its faculty and student body. In fact, the University enrolls the largest combined number of African-American and Latino students of any private college or university in Illinois.

A few of the many areas of study in which DePaul has distinguished itself include the performing arts, education, law, telecommunication and business. The School of Music and Theater also are nationally recognized institutions. The School of Education has provided elementary and high school teachers to many schools throughout the Chicago metropolitan area. Furthermore, on an issue that is very near to my heart, the School of Education has joined forces with the Chicago Public School system in an effort to help develop new and innovative teaching techniques to meet the demands of the 21st century.